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### Perry's SB 15 veto saved legislators from themselves on university governance

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Special to the Star-Telegram

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Texas higher-education policy is always an arena of discussion and debate, but last week brought a new twist to that milieu with reports of a legislative attempt to impeach University of Texas Regent Wallace Hall.

One reported reason for the effort was Hall's filing of open-records requests — in other words, compelling transparency at a taxpayer-funded institution. Whatever the outcome, the fracas has already vindicated Gov. Rick Perry's decision to veto the Legislature's Senate Bill 15.

SB 15 would have hamstrung university regents precisely when their full powers are most needed.

Higher-education costs, in Texas and across the country, have skyrocketed. Tuition has spiked 440 percent since the early 1980s, causing student-loan debt to hit \$1 trillion, a sum greater than total credit-card debt.

The rising costs have been accompanied by falling standards. Average student study time has fallen from 24 hours a week in the early 1960s to 14 hours a week today. Yet this decreased effort has been rewarded — inexplicably and maddeningly — with massive grade inflation.

In the early 1960s, 15 percent of all college grades given were A's. Today, 43 percent of all grades are A's. In fact, an A is the most common grade given in college today!

Worse still, a landmark national study documents that 36 percent of students show little to no increase in fundamental academic skills after four years invested in college.

To address this crisis, we need to step away from the breathless, distracting "Texas-Showdown-on-Higher-Ed" narrative and recognize that every state, not only Texas, faces this dilemma, and all therefore need boards to step to the plate.

Why? The nonpartisan American Council of Trustees and Alumni describes the role of trustees as "responsible for both the fiscal well-being of the institution" and "the quality of the education it provides."

Central to boards' fiduciary responsibility is transparency, which is "appropriate and necessary," because "taxpayers fund these institutions and have a right to know whether those funds are used effectively and responsibly."

Make no mistake: Our half-century decline in higher education could not have occurred without the abdication of fiduciary duties by overly cheerleading boards.

Yet SB 15 would have sent an unmistakable message that the problem is boards doing too much, not too little. This faulty diagnosis would have proved fatal to our schools' ability to make the changes necessary to serve students better.

Of course, if the Legislature objects to the behavior of certain board members, other means are available to address this. But to do so by constraining the powers of all boards would be counterproductive, for the crisis documented above cannot be legislated away.

For this reason, SB 15's hostility to board power could not have helped but have negative unintended consequences: Rather than realizing its stated purpose of preventing a "micromanaging crisis," it would have prevented boards from managing the crisis.

Limiting board power at this critical time would not have liberated but fettered institutions. Although SB 15 aimed to enhance administrative leadership, it would have hampered it, for presidents would find themselves with only self-destructive choices.

If they urged needed reforms, they would court career suicide through no-confidence votes by faculty armed with virtual life tenure. If presidents therefore sat idly by — lacking a board empowered to support them — their colleges would capsizes for lack of leadership.

In vetoing SB 15, Perry showed himself a friend of college-presidential leadership. He also showed himself a friend to legislators, who would in time have had to answer to an angry public when it became clear that SB 15 was hampering universities' ability to serve Texans.

Most important, vetoing SB 15 proved Perry the true friend of the students, parents and taxpayers whom Texas public universities are intended to serve.

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